

U.S. DEPARTMENT OF COMMERCE
Bureau of Industry and Security

Membership Balance Plan for the
Emerging Technology and Research Advisory Committee

(1) NAME

Emerging Technology and Research Advisory Committee (ETRAC)

(2) AUTHORITY

The ETRAC is authorized by the Export Administration Act of 1979 (EAA), as amended, 50 U.S.C. app. §§ 2401-2420 (2000).¹

(3) MISSION/FUNCTION

The Committee will be consulted where a recognized need of the Department of Commerce exists with respect to questions involving: (a) the identification of emerging technologies and research and development activities that may be of interest from a BIS perspective; (b) the potential impact of Export Administration Regulations (EAR) on research activities; (c) technical and policy issues relating to controls under the EAR as a result of the Export Control Reform Initiative; (d) revisions of the Control List, including proposed revisions of multilateral controls in which the United States participates; (e) the issuance of regulations and (f) any other matters relating to actions designed to carry out the policy set forth in Section 3(2)(A) of the Export Administration Act.

(4) POINTS OF VIEW

The ETRAC is composed of representatives of academia, industry, and U.S. Government agencies with specific technical or export control expertise. Members are from companies and institutions located across the United States. Representatives of small and large companies from a range of industries serve on ETRAC. The current members' technical expertise encompasses information sciences, life sciences, and physical sciences.

Federal employee members will be designated as Regular Government Employees (RGEs), and members appointed from industry associations who will represent the interests of their groups will be appointed as Representative Members.

(5) OTHER BALANCE FACTORS

¹ Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222, of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of the Notice of August 8, 2013(78 Fed. Reg. 49107, August 12, 2013), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 et seq.).

The work of the Committee affects a large segment of the export industry. Therefore, the Department will strive to develop a Committee that represents views of the various U.S. Government agencies responsible for administering export controls on the transfer of technology or source code, as well as the views of large, medium, and small companies that are impacted by these export controls.

(6) CANDIDATE IDENTIFICATION PROCESS

The Designated Federal Officer (DFO) solicits names from Committee members, other U.S. Government representatives, and a Notice of Recruitment of Private-Sector Members posted in the Federal Register. Additionally, the DFO will occasionally receive unsolicited nominations from industry representatives interested in serving on the Committee. The DFO evaluates the candidate for relevant technical expertise and experience. If the candidate has the required technical expertise and experience in an area that would benefit the Committee, the DFO prepares a justification for candidacy. Candidates are vetted through LexisNexis, the Senate's registered lobbyist database, the Office of Export Enforcement, and the Department's Office of White House Liaison. Once the vetting process is complete information is forwarded to the Office of Security for security clearance purposes. Formal letters of invitation to serve on the committee will be extended by the Secretary of Commerce.

If any vacancies occur during the Committee's tenure, the DFO will initiate another review process, as described above. Committee members shall not serve on the Committee for more than four consecutive years. Members who do not attend 75% of committee meetings in a 12 month period may have their membership terminated.

(7) SUBCOMMITTEE BALANCE

The same process used to determine advisory committee member balance for the Federal advisory committee will be used for any subcommittees that may be created. Subcommittee members must also be approved by the Assistant Secretary for Export Administration.

(8) OTHER

Not applicable.

(9) DATE PREPARED/UPDATED

April 2014